

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

JAMES JILEK, et al., on behalf of)	
himself and all others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:23-cv-00818-RJC DCK
)	
COMPASS GROUP USA, INC., d/b/a)	
CANTEEN,)	
)	
Defendant.)	
)	

**MOTION FOR VOLUNTARY DISMISSAL OF PLAINTIFF ANDRE BORRERO'S
ACTION WITHOUT PREJUDICE**

Plaintiff Andres Borrero, by his undersigned counsel, hereby respectfully moves this Court for an order dismissing *Borrero v. Compass Group USA, Inc.*, No. 4:23-cv-00586-RLW (consolidated with the above-entitled action on November 15, 2023 [Doc. 263 at 6]), without prejudice, as authorized by Federal Rule of Civil Procedure 41(a)(2), and in support, states as follows:

1. Plaintiff Andres Borrero is suffering from traumatically induced brain damage, causing him short-term and long-term memory loss, and therefore cannot satisfy the adequacy requirement of Rule 23.

This motion is also based on the Memorandum of Points and Authorities in Support of Motion for Voluntary Dismissal and the Supporting Declaration filed herewith, and the Court's file in this matter.

Dated: April 17, 2024

**ARIAS SANGUINETTI WANG &
TEAM LLP**

By: /s/ M. Anthony Jenkins
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BALDWIN and ANDRES BORRERO

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon the following Defendant's counsel of record via electronic mail this 17th day of April, 2024.

/s/ M. Anthony Jenkins